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09/919,335	07/30/2001	Robert C. Yen	RCY1P005	3171
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BEYER WEAVER & THOMAS LLP			NASH, LASHANYA RENEE	
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			2153	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/919,335

Applicant(s)

YEN ET AL.

Examiner

LaShanya R Nash

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/20/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This action is in response to an Amendment filed January 10, 2005.

Claims 1-18 are presented for further consideration.

### ***Response to Arguments***

Applicant's arguments, see Remarks/Arguments III, with respect to claims 4 and 9-15 rejected under 35 USC 102(e) and claims 1-3, and 5-8 rejected under 103(a) have been fully considered. However, upon further consideration, the rejections have been withdrawn and a new ground of rejection is made under 35 USC 103 (a), in view of a different interpretation of previously cited reference, Panasik et al. (US Patent 5,987,547).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 4, and 9-15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Schleimer et al. (US Patent 6,249,787) in view of Panasik et al. (US Patent 5,987,547), hereinafter referred to as Schleimer and Panasik respectively.**

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In reference to claim 4, Schleimer discloses a method that involves modifying a web page to obtain data stored locally on a client computer. The reference further discloses this image transmittal method efficiently transmits images and other information over a network without increasing bandwidth (column 4, lines 37-64; column 1, lines 16-19; column 6, lines 53-57). Schleimer discloses:

- A method for modifying a web page to point to local content on a portable computer readable storage product (i.e. hard disk) instead of remote content, the method comprising, (column 4, lines 37-64; column 12, lines 3-8; column 3, lines 26-33; and column 6, lines 24-31):
  - Receiving a web page to be modified, (column 8, lines 24-26; column 5, lines 45-50; column 11, lines 13-15; and Figure 9); and
  - The web page including at least one image, (column 8, lines 26-37 and Figure 6a);
  - The source for the content for the image being linked to a remote location (i.e. URL), (column 8, lines 26-37; column 11, lines 13-15; and Figure 6a);
  - Modifying the web page to direct retrieval of content for the image to be retrieved locally from the portable computer readable storage product instead of the remote location, (column 11, lines 14-20; column 6, lines 32-27; column 4, lines 26-37; and Figure 9).

Although Schleimer discloses the aforesaid hard drive as conventional computer readable medium (column 5, lines 2-10), the reference does not disclose explicitly the hard drive employed in the aforementioned method is exclusively a

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portable medium. Nonetheless, portable hard drives were well known in the art at the time of invention, as further evidenced by Panasik. Therefore it would have been an obvious modification to the method, as disclosed by Schleimer, for one of ordinary skill in the art at the time of the invention.

In an analogous art, Panasik discloses a network computer with portable hard drive (i.e. removable hard drive; Figure 2-item 22; column 3, lines 33-38).

One of ordinary skill in the art would have been so motivated to accordingly modify the aforementioned method, as disclosed by Schleimer, so as to employ a removable mass storage device to increase availability of web data locally accessible to client computers, (Schleimer column 3, lines 11-14; column 5, lines 42-58).

In reference to claim 9, Schleimer discloses web browser and server process products on computer readable medium in order to implement the associated image transmittal method, (column 6, lines 15-26; column 11, lines 32-49; and column 5, lines 45-50). The image transmittal method as shown by Schleimer comprises: automatically modifying a web page to point to local content on a portable computer readable storage product (i.e. hard disk) instead of remote content, (column 4, lines 37-64; column 12, lines 3-8; column 3, lines 26-33; and column 6, lines 24-31); receiving a web page to be modified, the web page including at least one high-bandwidth content component (i.e. images, video, or audio files), (column 5, lines 59-61; column 8, lines 24-35; column 11, lines 13-15; Figure 9; column 1, line 65 to column 2, line 10; and column 6, lines 25-28); the

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source for the content for the high-bandwidth content component to be retrieved locally from the portable computer readable storage product instead of from the remote content, (column 11, lines 14-20; column 6, lines 25-31; column 12, lines 3-8; column 5, lines 45-50; and Figure 9). Therefore, Schleimer discloses executable code that specifically implements the previously stated method. This is equivalent to the software program disclosed by the applicant. Although Schleimer discloses the aforesaid hard drive as conventional computer readable medium (column 5, lines 2-10), the reference does not disclose explicitly the hard drive employed in the aforementioned method is exclusively a portable medium. Nonetheless, portable hard drives were well known in the art at the time of invention, as further evidenced by Panasik. Therefore it would have been an obvious modification to the method, as disclosed by Schleimer, for one of ordinary skill in the art at the time of the invention.

In an analogous art, Panasik discloses a network computer with portable hard drive (i.e. removable hard drive; Figure 2-item 22; column 3, lines 33-38). One of ordinary skill in the art would have been so motivated to accordingly modify the aforementioned method, as disclosed by Schleimer, so as to employ a removable mass storage device to increase availability of web data locally accessible to client computers, (Schleimer column 3, lines 11-14; column 5, lines 42-58).

In reference to claims 10 and 14, Schleimer shows a computer readable medium (i.e. web browser and server process products) wherein the remote

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location is a remote server that is accessed through a network, (column 11, lines 25-64 and Figure 1).

In reference to claims 11 and 15, Schleimer shows a computer readable medium (i.e. web browser and server process products) wherein the network includes the Internet, (column 7, lines 30-35 and Figure 1).

In reference to claim 12, Schleimer shows a computer readable medium (i.e. web browser and server process products) wherein the least one high-bandwidth content component (i.e. images, video, or audio files) has a source location (i.e. URL) provided within the web page, (column 8, lines 31-37 and Figure 6a); and wherein the modifying operates to alter the source location for the least one high-bandwidth content component to point to data previously stored to the portable computer readable storage product (i.e. hard disk), (column 11, lines 14-25 and column 9, lines 50-67).

In reference to claim 13, Schleimer shows a computer readable medium (i.e. web browser and server process products) wherein the least one high-bandwidth content component is an image, (column 1, line 66 to column 2, line 22 and column 6, lines 25-31).

**Claims 1-3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schleimer et al. (US Patent 6,249,787) in view of Panasik**

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**et al. (US Patent 5,987,547), and further in view of Mighdoll et al. (US Patent 5,918,013), hereinafter referred to as Schleimer, Panasik, and Mighdoll.**

In reference to claim 1, Schleimer discloses the aforementioned image transmittal method to comprise substantial features of the claimed invention. Specifically, Schleimer explicitly discloses: a method for modifying a web page to point to local content instead of remote content, (column 4, lines 37-64); receiving the web page to be modified, (column 5, lines 59-61; column 8, lines 24-26; column 11, lines 13-15; and Figure 9); scanning the web page to locate an image in the web page, (column 8, lines 26-35; column 11, lines 13-15; and Figure 9); determining whether the image is supported by an image associated with portable computer readable storage products distributed to users (i.e. modified web browser product and hard disk), (column 10, line 66 to column 11, line 20; and column 6, lines 15-24); and modifying the web page to direct retrieval of content for the image to be retrieved locally from the portable computer readable storage products, (column 11, lines 14-20; column 6, lines 25-31; column 12, lines 3-8; column 5, lines 45-50; and Figure 9). Although Schleimer discloses the aforesaid hard drive as conventional computer readable medium (column 5, lines 2-10), the reference does not disclose explicitly the hard drive employed in the aforementioned method is exclusively a portable medium. Nonetheless, portable hard drives were well known in the art at the time of invention, as further evidenced by Panasik. Therefore it would have been an obvious modification to the method, as disclosed by Schleimer, for one of ordinary skill in the art at the time of the invention.



In an analogous art, Panasik discloses a network computer with portable hard drive (i.e. removable hard drive; Figure 2-item 22; column 3, lines 33-38).

One of ordinary skill in the art would have been so motivated to accordingly modify the aforementioned method, as disclosed by Schleimer, so as to employ a removable mass storage device to increase availability of web data locally accessible to client computers, (Schleimer column 3, lines 11-14; column 5, lines 42-58). However, Schleimer and Panasik fail to disclose determining whether the image is supported by an image database. Nonetheless, this modification to the image transmittal method would have been obvious to one of ordinary skill in the art at the time of the invention, as further evidenced by Mighdoll.

In an analogous art, Mighdoll discloses a method that involves accessing images stored in a document database and subsequently retrieving the images from cache memory, in order to pre-fetch large web page components, (column 5, lines 40-58; column 6, line 7 to column 7, line 5; column 12, lines 28-39; and Figure 5). This modification would have been obvious because one of ordinary skill in the art would have been so motivated to implement accessing the document database so as to increase processing and downloading speed of requested web pages, (Mighdoll column 12, lines 37-39).

In reference to claim 5, Schleimer discloses the previously addressed features of the claimed invention as well as a method for creating portable readable storage products (i.e. web browser product and hard disk) to be distributed to users, (column 6, lines 15-31; column 10, line 66 to column 11, line

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12; column 11, lines 32-36; and column 12, lines 3-8) comprising: receiving web pages to be modified, (column 9, lines 44-50; and column 5, lines 59-61); scanning the web pages to locate high-bandwidth content (i.e. images, video, or audio files), (column 9, lines 49-55; column 1, line 65 to column 2, line 10; and column 6, lines 25-28); and creating portable readable storage products for distribution to users by storage of high-bandwidth content to the portable computer readable storage products, (column 6, lines 15-30; column 10, line 66 to column 11, line 12; column 12, lines 3-8; and column 5, line 45-50). Although Schleimer discloses the aforesaid hard drive as conventional computer readable medium (column 5, lines 2-10), the reference does not disclose explicitly the hard drive employed in the aforementioned method is exclusively a portable medium. Nonetheless, portable hard drives were well known in the art at the time of invention, as further evidenced by Panasik. Therefore it would have been an obvious modification to the method, as disclosed by Schleimer, for one of ordinary skill in the art at the time of the invention.

In an analogous art, Panasik discloses a network computer with portable hard drive (i.e. removable hard drive; Figure 2-item 22; column 3, lines 33-38).

One of ordinary skill in the art would have been so motivated to accordingly modify the aforementioned method, as disclosed by Schleimer, so as to employ a removable mass storage device to increase availability of web data locally accessible to client computers, (Schleimer column 3, lines 11-14; column 5, lines 42-58). However, Schleimer and Panasik do not disclose: determining whether the high-bandwidth content is supported by a database that stores high-

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bandwidth content; adding the high-bandwidth content to the database when the determining determines that the high-bandwidth content is not yet supported by the database; and storing high-bandwidth content from the database to the computer readable storage products. Nonetheless, one of ordinary skill in the art at the time of the invention would have readily recognized the advantages associated with these modifications to the image transmittal method disclosed by Schleimer.

Mighdoll discloses a method involving: determining whether a requested document with high bandwidth content (i.e. images) is supported by the document database; and subsequently adding newly retrieved documents to the database, (column 8, lines 28-43 column 6, line 7 to column 7, line 5; and Figures 5-6). Mighdoll further discloses storing a recently requested document from the database onto the cache (i.e. portable computer readable storage product). As a result, it would have been obvious to one of ordinary skill in the art to modify the method according to the aforementioned limitations. One of ordinary skill in the art would have been motivated to implement the modification so as to reduce the number of re-connections required between a client and a host machine for web page downloading (i.e. remote location), thereby improving network performance, (Schleimer column 6, lines 50-55).

In reference to claim 2, Schleimer shows an image transmittal method wherein: the image has an image tag (i.e. URL) that provides a remote address for the remote content for the image, (Schleimer column 8, lines 31-37 and

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Figure 6a); and wherein the modifying operates to modify the image tag to point to the portable computer readable storage products instead of the remote content, (Schleimer column 11, lines 14-25 and column 9, lines 50-67).

In reference to claim 3, Mighdoll shows an image transmittal method that further comprises: adding the image to the image database when the determining determines that the image is not yet supported by the image database, (Mighdoll column 6, line 7 to column 7, line 5 and column 8, lines 28-45).

In reference to claim 6, Schleimer shows an image transmittal method wherein the high-bandwidth content is images, (Schleimer column 1, line 66 to column 2, line 22 and column 6, lines 25-31).

In reference to claim 7, Schleimer shows an image transmittal method that further comprises: distributing the portable computer readable storage products (i.e. modified web browser product and hard disk) that have been created to users, (Schleimer column 11, lines 1-11; column 6, lines 15-22; and column 12, lines 15-22).

In reference to claim 8, Schleimer shows an image transmittal method that further comprises: modifying the web pages to direct retrieval of content for the high-bandwidth content (i.e. images, video, or audio files) locally from the portable computer readable storage products (i.e. modified web browser product

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and hard disk), (Schleimer column 11, lines 1-20; column 6, lines 25-31; column 12, lines 3-8; column 5, lines 45-50; and Figure 9).

In reference to claims 16 and 18, Panasik shows the method wherein the portable computer readable storage products are either compact discs (i.e. CD-ROM) or memory cards, (column 3, lines 30-40).

In reference to claim 17, Panasik shows the method wherein said distributing the portable computer readable storage products comprises mailing the portable computer readable storage products to its users, (column 2, lines 53-65).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShanya R Nash whose telephone number is (571) 272-3957. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShanya Nash *LN*  
Art Unit, 2153  
October 14, 2005

  
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